

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 96933001		DATE OF AWARD 09/21/2007			
			MODIFICATION NUMBER: 2		PROGRAM CODE: CP		MAILING DATE 09/21/2007	
			TYPE OF ACTION No Cost Amendment				PAYMENT METHOD: ACH#	
			PAYMENT METHOD: Advance				ACH#	
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, fax 702-798-2423					
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410					
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephanie@epamail.epa.gov Phone: 775-885-6190		EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epamail.epa.gov Phone: 415-972-3661				
PROJECT TITLE AND EXPLANATION OF CHANGES WATER QUALITY - NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PRGM DEVELOPMENT This amendment extends the budget and project period ending dates from 10/31/07 to 10/31/08. There is no change to the EPA assistance amount of \$94,000. Terms and conditions from initial assistance agreement remain the same.								
BUDGET PERIOD 10/01/2005 - 10/31/2008		PROJECT PERIOD 10/01/2005 - 10/31/2008		TOTAL BUDGET PERIOD COST \$94,000.00		TOTAL PROJECT PERIOD COST \$94,000.00		
NOTICE OF AWARD								
Based on your Application dated 05/09/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$94,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.								
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY								
Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer						DATE 09/21/2007		

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$47,280
2. Fringe Benefits	\$13,133
3. Travel	\$1,418
4. Equipment	\$9,000
5. Supplies	\$1,540
6. Contractual	\$12,126
7. Construction	\$0
8. Other	\$3,345
9. Total Direct Charges	\$87,842
10. Indirect Costs: <u>9.23%</u> Base <u>66,716</u>	\$6,158
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$94,000
12. Total Approved Assistance Amount	\$94,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$94,000

Administrative Conditions

All Administrative Conditions Remain the Same

Programmatic Conditions

All Programmatic Conditions Remain the Same

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	GRANT NUMBER (FAIN): 96933001	DATE OF AWARD 10/26/2006
		MODIFICATION NUMBER: 1	MAILING DATE 10/26/2006
		PROGRAM CODE: CP	ACH#
		TYPE OF ACTION No Cost Amendment	
RECIPIENT TYPE: Indian Tribe		PAYMENT METHOD: Advance	
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754		Send Payment Request to: Las Vegas Finance Center, fax 702-798-2423	
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410	
EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephanie@epamail.epa.gov Phone: 775-885-6190		EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epamail.epa.gov Phone: 415-972-3661	
PROJECT TITLE AND EXPLANATION OF CHANGES WATER QUALITY - NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PRGM DEVELOPMENT This amendment extends the budget and project period ending dates from 10/31/06 to 10/31/07. There is no change to the EPA assistance amount of \$94,000. Terms and conditions from initial assistance agreement remain the same. This agreement is for the Tribe to continue the development of a comprehensive water quality program, which includes the development a water quality assurance monitoring plan for Clear Creek and Carson River water systems and the development of stormwater plan for Clear Creek to improve water quality.			
BUDGET PERIOD 10/01/2005 - 10/31/2007	PROJECT PERIOD 10/01/2005 - 10/31/2007	TOTAL BUDGET PERIOD COST \$94,000.00	TOTAL PROJECT PERIOD COST \$94,000.00
NOTICE OF AWARD			
Based on your Application dated 05/09/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$94,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer			DATE 10/26/2006

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 96933001 MODIFICATION NUMBER: 0 PROGRAM CODE: CP	DATE OF AWARD 09/19/2005
		TYPE OF ACTION New	MAILING DATE 09/26/2005
		PAYMENT METHOD: Advance	ACH#
		Send Payment Request to: Las Vegas Finance Center, fax 702-798-2423	
RECIPIENT TYPE: Indian Tribe		PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410	
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682	EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephanie@epamail.epa.gov Phone: 775-885-6190	EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epamail.epa.gov Phone: 415-972-3661	
PROJECT TITLE AND DESCRIPTION WATER QUALITY - NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PRGM DEVELOPMENT This agreement provides full EPA funding in the amount of \$94,000 for the Tribe to continue the development of a comprehensive water quality program, which includes the development a water quality assurance monitoring plan for Clear Creek and Carson River water systems and the development of stormwater plan for Clear Creek to improve water quality.			
BUDGET PERIOD 10/01/2005 - 10/31/2006	PROJECT PERIOD 10/01/2005 - 10/31/2006	TOTAL BUDGET PERIOD COST \$94,000.00	TOTAL PROJECT PERIOD COST \$94,000.00
NOTICE OF AWARD			
Based on your Application dated 05/09/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$94,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$94,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Alexis Strauss - Director - Water Division			DATE 09/19/2005

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 94,000	\$ 94,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 94,000	\$ 94,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.463 - Water Quality Cooperative Agreements	Clean Water Act: Sec. 104(b)(3)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E113	05	E1	09LA0D5	202B02E	41.83			94,000
									94,000

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
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2. Fringe Benefits	\$13,133
3. Travel	\$1,418
4. Equipment	\$9,000
5. Supplies	\$1,540
6. Contractual	\$12,126
7. Construction	\$0
8. Other	\$3,345
9. Total Direct Charges	\$87,842
10. Indirect Costs: <u>9.23%</u> Base <u>SEE BELOW</u>	\$6,158
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$94,000
12. Total Approved Assistance Amount	\$94,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$
15. Total EPA Amount Awarded To Date	\$

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1.	\$
TABLE A, LINE 10, INDIRECT COSTS based on total direct less capital expenditures and passthrough.	
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
11. Total (Share: Recip % Fed %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

ADMINISTRATIVE CONDITIONS NUMBERED 1 THROUGH 11 APPLY. IN ADDITION, PROGRAMMATIC CONDITIONS NUMBERED P1 THROUGH P4 APPLY.

1. The final Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), for this award shall be submitted to the U.S. EPA Las Vegas Finance Center PO Box 98515 Las Vegas, NV 89193-8515 within 90 days after the end of the project period according to the recipients respective Code of Federal Regulations Part 31.23(b).
2. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.
3. The recipient agrees to complete and submit to the Grants Management Office, PMD-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the Federal fiscal year, i.e., by October 30 of each calendar year. Negative reports are required.
4. The recipient must ensure to the fullest extent possible that at least 8% (6%=MBE/2%=WBE) of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and historically black colleges and universities.

The recipient agrees to include in its bid documents an 8% (6%=MBE/2%=WBE) "Fair Share" percentage and require all of its prime contractors to include in their bid documents for subcontracts an 8% (6%=MBE/2%=WBE) "Fair Share" percentage.

To evaluate compliance with the "Fair Share" policy, the recipient also agrees to comply with the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), or Section 35.6580(a), as appropriate.

5. If a recipient procures equipment, services, supplies, or contracts under an assistance agreement, the recipient agrees and is required to utilize the following six affirmative steps:
 - a. Include qualified Small Business Enterprises (SBEs), Minority Business Enterprises (MBEs), and Women Business Enterprises (WBEs) on solicitation lists;
 - b. Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
 - c. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs;
 - d. Establish delivery schedules, where the requirements of the work permit, which

will encourage participation by SBEs, MBEs, and WBEs;

e. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate; and

f. If the prime contractor awards contracts/procurements, require the contractor to take the affirmative steps in subparagraphs a. through e. of this condition.

6. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost rate proposal covering the time period of the costs being claimed for reimbursement is approved by the Department of Interior (DOI).

7. Pursuant to EPA's annual Appropriations Act, the chief executive officer of this recipient agency shall require that no grant funds have been used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. As mandated by this Act, the recipient agrees to provide certification to the award official via EPA Form 5700-53, *Lobbying and Litigation Certificate*, or in a written statement. The Lobbying and Litigation certification and final Financial Status Report shall be submitted within 90 days after the end of project period.

Recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States. Any Part 30 recipient shall abide by its respective OMB Circular (A-21 or A-122), which prohibits the use of Federal grant funds to participate in various forms of lobbying or other political activities.

8. Pursuant to EPA Order 1000.25 and Executive Order 13101, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration.

9. Effective October 1, 1994, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the Hotel and Motel Fire Safety Act of 1990.

10. Payment to consultants. Per 40 CFR **Part 31.36(j)**, EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2005, the rate is \$537.76 per day and \$67.22 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

11. The recipient shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions." The recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

The recipient may access the Excluded Parties List System at <http://epls.arnet.gov>. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

Programmatic Conditions

P1. Modifications to the approved workplan, including changes, additions, or deletions to schedule and budget, shall be submitted in a timely manner to EPA for approval prior to the actual modifications.

P2. The grantee shall submit to the EPA Project Officer quarterly reports to self-evaluate and to joint-evaluate annual performance under the grant, including: status of each workplan goal, task, deliverable; status of expenditures for reporting period; summary of accomplishments including the reporting of environmental results; and discussion of problems impacting or expected to impact performance. Each report is due 30 days after the end of each Federal fiscal quarter (i.e., January 30, April 30, July 30 and October 30).

P3. No drawdowns can be made for the planned equipment and supplies purchases in the amount of \$10,000 until the planned equipment and supplies purchases breakdown has been submitted to EPA for Project Officer approval upon completion of QAPP.

P4. This grant includes the performance of environmental measurements, therefore, a QA Plan or Sampling and Analysis Plan must be prepared. The recipient should consult with the Region 9 Quality Assurance Office to determine what type of QA documentation would be most appropriate and what QA guidance should be followed. The QA Plan must be approved by the EPA Project Officer, the Region 9 Quality

Assurance Manager, and the recipient's Quality Assurance Officer before measurement activities are undertaken. Contact the QA Office at 415-972-3803.

END OF DOCUMENT